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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/711,561	09/24/2004	Koji Uno	SIC-04-014	5560
29863	7590	08/29/2006	EXAMINER	
DELAND LAW OFFICE P.O. BOX 69 KLAMATH RIVER, CA 96050-0069			LUM VANNUCCI, LEE SIN YEE	
			ART UNIT	PAPER NUMBER
			3611	

DATE MAILED: 08/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/711,561

Applicant(s)

UNO, KOJI

Examiner

Lee Lum

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 14-19 is/are rejected.
- 7) ☒ Claim(s) 12 and 13 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. An Amendment was filed 7/20/06.
2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5, 7-9, 11 and 16-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Campagnolo 6634971.

Campagnolo discloses a bicycle electronic control device comprising

Computer/processor 6 controlling shifting of derailleurs (c3, ln 41-42), and,

Receives signals from a shift control unit, or manually-operated control switch unit (fig 7, step 101, and c8, ln 6-9; gear shifting by rider),

Reset unit (unidentified in step 109, and c8, ln 48-55) to provide a signal to a reset terminal (unidentified, inherent with "electrical switch 150" *) of the computer in response to a non-contact operation,

The unit including a reed switch/sensor 150 (exemplified in c6, ln 26-28, and disclosed in c7, ln 21-24; "electrical switch"), and supported by the derailleur (i.e., connected with, *as broadly and reasonably interpreted*),

Wherein

the computer, reset unit, and display displaying travel information (c8, ln 56-58; "light signal") are housed together in a control case (c3, ln 46-47; "in the vicinity of the handlebars").

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* An electrical switch is extremely well-known to include a terminal which functions to provide on/off positions.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6, 10, 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Campagnolo in view of Honda et al 6598693.

Campagnolo discloses the elements as provided above, but does not disclose an electric hub transmission, while Honda shows this transmission 5, including processor 50, within power unit 25. It would have been obvious to one with ordinary skill in the art at the time the invention was made to include this configuration, as shown in Honda, to protect both the processor and transmission in one housing, thus increase proper operation of both components, and provide easy access to both for repair.

4. **Claims 12 and 13** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Prior art does not disclose the invention described above further comprising, *inter alia*, the computer or reset unit as mounted to the base.

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5. RESPONSE TO REMARKS

Examiner has generally maintained her rejections to Claims 1-10+. Campagnolo discloses the majority of recited elements, including "reset unit to provide a reset signal to a reset terminal" (Claims 1 and 11). The reference discloses "reed switches" in c6, ln 26-28, (as previously noted) which may be employed towards the recited function according to c7, ln 19-24; "an element 150 which has the function of electrical switch" (emphasis added). Although not specified, a switch is extremely well-known to include an electrical terminal, to provide on/off functions. Therefore, the reference clearly obviates these limitations.

Also, upon reconsideration of broad language, a new rejection is provided for Claim 11 ("supported by" is broadly and reasonably interpreted), the elements also disclosed in Campagnolo. Examiner apologizes for the inconvenience. (It is noted that all Claims are very broadly written)

Applicant is asked to note allowable subject matter.

6. Communication with the USPTO/Examiner

Any inquiry concerning this communication, or others, may be directed to Ms. Lum at 571 272-6649, M-F, 9-5. If she cannot be reached, her supervisor, Ms. Lesley Morris, may be reached at 571 272-6651. Our fax number is 571 273 8300.

Information re the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) System as follows: for unpublished applications - private PAIR only, for published applications - private or public PAIR. For more info on PAIR - <http://pair-direct.uspto.gov>. For more info on private PAIR - call the Electronic Bus. Center at 866 217-9197.

Ms. Lee Lum-Vannucci
Examiner
8/25/06

